

FORM PTO-1390
(REV. 02-2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

3765-0114PUS1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/531579

INTERNATIONAL APPLICATION NO.

PCT/EP2003/011689

INTERNATIONAL FILING DATE

October 22, 2003

PRIORITY DATE CLAIMED

October 25, 2002

TITLE OF INVENTION

NO PAIN INJECTABLE COMPOSITIONS CONTAINING SALTS OF 2-ARYLPROPIONIC ACIDS

APPLICANT(S) FOR DO/EO/US

Marco Maria GENTILE and Maria Concetta DRAGANI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - a. ☐ is attached hereto.
 - b. ☐ has been submitted to the Internal Bureau (See Box VIII-4-1 of the Request (PCT/R0/101), **copy attached**).
The Power of Attorney or Authorization of Agent and Certificate under 37 CFR 3.73(b) Showing Chain of Title are: ☐ attached hereto. ☐ will follow.
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449(s), and International Search Report (PCT/ISA/210) with 0 cited document(s).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 C.F.R. 1.76
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
PCT/IPEA/409; Two sheets of Formal Drawings

U.S. APPLICATION NO (if known, see 37 CFR 1.51) 10/531579		INTERNATIONAL APPLICATION NO PCT/EP2003/011689		ATTORNEY'S DOCKET NUMBER 3765-0114PUS1	
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The following fees are submitted:

21. <input checked="" type="checkbox"/> Basic national fee	\$300.00	\$	300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	\$100.00			
All other situations	\$200.00	\$	200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a(2))) has been paid on the international application to the USPTO as an International Searching Authority.	\$100.00			
International Search Report prepared and provided to the Office	\$400.00			
All other situations	\$500.00	\$	500.00	
TOTAL OF 21, 22 AND 23 =		\$	1000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
15 -100 =	0 / 50 =	0	x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	3 - 20 =	0	x \$50.00	\$ 0.00
Independent Claims	1 - 3 =	0	x \$200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable) <input type="checkbox"/>			+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =				\$ 1130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. § 1.27. The fees indicated above are reduced by 1/2.				
SUBTOTAL =				\$ 1130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(i)).			+	\$
TOTAL NATIONAL FEE =				\$ 1130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$
TOTAL FEES ENCLOSED =				\$ 1130.00
			Amount to be: Refunded:	\$
			Amount to be charged:	\$

a. ☒ A check in the amount of \$1,130.00 to cover the above fees is enclosed.

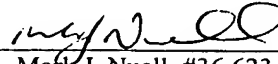
b. ☐ Please charge my Deposit Account. No. 02-2448 in the amount of \$0.00 to cover the above fees. A duplicate copy of this
sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to
Deposit Account No. 02-2448.

NOTE: Where an appropriate time limit under 37 C.F.R. § 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a)
or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:
Birch, Stewart, Kolasch & Birch, LLP or Customer No. 02292
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Date: April 18, 2005

By 
Mark J. Nuell, #36,623